



WEB COPY



W.P. No.28684 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.No.28684 of 2025

Desiya Makkal Sakthi Katchi
Rep. by its President, M.L.Ravi,
No.21/11, Venkatraman Street,
Chennai-600 001.

Petitioner

Vs

- 1.The Chief Election Commissioner
Election Commission of India,
Nirvachan Sadan,
No.1, Ashoka Road,
New Delhi-110 001.
- 2.The Chief Electoral Officer
Public Elections Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 3.The District Election Officer and
District Collector,
Villupuram District,
Villupuram.



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4.The Superintendent of Police
Collector Office Road,
Moovender Nagar,
Villupuram District-605 601.

5.Chadrasekar
Returning Officer,
No.75-Vikravandi Bye Election -2024
At Present
District Supply and Consumer
Protection Officer,
Villupuram.

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to consider the petitioner representation dated 13.05.2025 or any other order or orders or direction in the nature of writ, directing the 1st respondent to initiate disciplinary action against the 5th respondent and Criminal action for dereliction of duty in conduct of free and fair election as per statutory law.

For Petitioner: Mr.T.Sivagnanasambandan

For Respondents: Mr.M.Habeeb Rahman
Government Advocate
for respondent Nos.2 and 3

Mr.R.Muniyapparaj
Additional Public Prosecutor
for respondent No.4



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ORDER

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Heard learned counsel for the parties.

2. This petition has been filed by the petitioner seeking the following relief:

"For the reasons stated in the accompanying affidavit, it is therefore prayed this Hon'ble Court may be pleased to issue writ of mandamus to consider the petitioner representation dated 13.05.2025 or any other order or orders or direction in the nature of writ, directing the 1st respondent to initiate disciplinary action against the 5th respondent and Criminal action for dereliction of duty in conduct of free and fair election as per statutory law or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice."

3. The substance of complaint is mainly with regard to alleged



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illegal rejection of the nomination paper of one of the candidates,
who belongs to the political party/petitioner.

4. In our view, this petition is utterly misconceived in law. Alleged illegal rejection of the nomination paper could be challenged by way of an election petition and not otherwise. There are no extraordinary circumstances why the court should take up this matter by way of writ petition filed at the instance of a political party.

As a matter of fact, as conceded by learned counsel for the petitioner, the candidate, whose nomination was rejected, has also filed election petition, which since stands dismissed.

5. This petition is not maintainable and is frivolous. Therefore, petition is dismissed. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ)

(SUNDER MOHAN,J)

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Index : Yes/No
Neutral Citation : Yes/No
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